

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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PEARSON EDUCATION, INC., ELSEVIER INC.,
BEDFORD, FREEMAN & WORTH
PUBLISHING GROUP, LLC d/b/a MACMILLAN
LEARNING, CENGAGE LEARNING, INC., and
MCGRAW HILL LLC,

Plaintiffs,

v.

SAURABH AGGARWAL, ASHOK KUMAR,
AYUSH AGGARWAL, SHIKHA AGGARWAL,
NATASHA AGGARWAL, SAVITA
AGGARWAL, ABC PUBLISHERS &
DISTRIBUTORS PVT. LTD., ABCPD
INTERNATIONAL LTD., ACADEMICBOOKS
INC., ACUITY CORP., AEGIS TRADING CORP.,
AGGARWAL BOOK CENTRE, AGGARWAL
OVERSEAS, ALLEGIS CORP., AMACO CORP.,
APEX TRADING CO., APPLEBEE'S CORP.,
ASPYR CORP., ASPYR INTERNATIONAL
LTD., BENNIGAN MEDIA CORP., BIRDWELL
CORP., BOOKMART, BOOKMOR CORP.,
BOOKMAX CORPORATION, BOOKPORT
CORP., BOOKREX CORP., BOOKSNESENCE,
BOWLMOR CORP., BOYD BRANDS INC.,
BRUKER INTERNATIONAL CORP., COGNEVO
MEDIA CORP., COLECO CORP., COLUMBIA
BOOK CORP., CONNISSEUR TRADING INC.,
CONS MED DISTRIBUTORS CORP., CYNA
TRADING, DENBURY CORP.,
DESCRIBINGBOOKS INC., DIPPIN CORP.,
DYNERGY MEDIA INC., EBF CORP. LTD.,
ENCORE CORP. LTD., ESTERLINE CORP.,
FANAKA TRADING INC., FLEXI TRADING
CORP, FRASCA CORP., GOGREEN BOOKS
CORP., GOODWILLBOOKS INC., GRAN
BOOKS INC., GRAYBAR CORP., HARPO
CORP., HELIOSBOOKS INC., IN-LIGHT
LIMITED, IVORY BOOKS CORP., KALITTA
CORP., KROGER CORP., LIBERTY BOOKS,
INC., MAGNA WORLD CORPORATION,
MITTEL INC., NATWORLD CORP., NORTEL
CORP., PLUS BROKERAGE INC., PROLIFIC
TRADING INC., QUATTRO TRADING INC.,
REGENT INTERNATIONAL, RENNICS

Civil Action No. 17-cv-203-KMW

BOOKSHOP AFRICA LTD., SASHA INTERNATIONAL, LLC, SIERRA BOOKWORLD LIMITED, SIGNA CORP., TRANSGLOBALBOOKS CORP., TURBOBOOKS CORP., UNIWORLDBOOKS INC., VARAHA CORP., VEDI BOOKS PVT. LTD., WHITE LEAF CORP., YOUTBOOKWORLD INC., ZETTA CORP., and ZETTAWORLD CORP.,

Defendants.

KMW 10/11/22

~~PROPOSED~~ FINAL JUDGMENT AND PERMANENT INJUNCTION AS TO
CERTAIN DEFENDANTS

Plaintiffs Pearson Education, Inc., Elsevier Inc., Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning, Cengage Learning, Inc., and McGraw Hill LLC, formerly McGraw-Hill Global Education Holdings, LLC¹ (collectively, "Plaintiffs") filed claims against Defendants ABC PUBLISHERS & DISTRIBUTORS, PVT. LTD, AGGARWAL BOOK CENTRE, ASHOK KUMAR, AYUSH AGGARWAL, BOOKPORT CORP., EBF CORP. LTD., NATASHA AGGARWAL, NATWORLD CORP., REGENT INTERNATIONAL, SAVITA AGGARWAL, SHIKHA AGGARWAL, VEDI BOOKS PVT. LTD., WHITE LEAF CORP., SAURABH AGGARAWAL and HELIOSBOOKS INC. (collectively, "Defendants") for copyright infringement pursuant to the Copyright Act, 17 U.S.C. §§ 101 *et seq.*, and trademark infringement/counterfeiting pursuant to the Lanham Act, 15 U.S.C. §§ 1114(1) *et seq.* Plaintiffs and Defendants indicate that they have settled this matter. In connection therewith, Plaintiffs and Defendants have jointly stipulated to entry of this Final Judgment and Permanent Injunction.

NOW, THEREFORE, it is hereby:

¹ On January 1, 2020, McGraw Hill LLC became the successor in interest to McGraw-Hill Global Education Holdings, LLC.

I. **ORDERED** that final judgment is **ENTERED** for Plaintiffs against Defendants.

Each party shall bear its own costs and expenses, including its attorneys' fees.

II. **FURTHER ORDERED** that a permanent injunction is **ENTERED** in this action as follows:

a. Defendants, their officers, agents, servants, employees, and attorneys, and all those in active concert or participation with any of them, who receive actual notice of this Permanent Injunction, are enjoined from:

- i. Directly or indirectly infringing any of Plaintiffs' Copyrighted Works²;
- ii. Directly or indirectly infringing any of Plaintiffs' Marks³;
- iii. Directly or indirectly manufacturing, reproducing, importing, exporting, distributing, offering for sale, and/or selling infringing copies of Plaintiffs' Copyrighted Works and/or goods bearing infringing copies of Plaintiffs' Marks; and
- iv. Knowingly (i.e., with actual knowledge or reason to know) enabling, facilitating, permitting, assisting, soliciting, encouraging, or inducing

² "Plaintiffs' Copyrighted Works" means any and all textbooks or other copyrighted works, or portions thereof, including instructor solutions manuals, instructor resource manuals, or test banks, whether now in existence or later created, regardless of media type, the copyrights to which are owned or exclusively controlled by any of Plaintiffs or their parents, subsidiaries, affiliates (excluding for Macmillan Learning, its affiliates and its parents other than its immediate parent company), predecessors, successors, or assigns, whether published in the United States or abroad.

³ "Plaintiffs' Marks" means any and all trademarks and service marks, whether now in existence or later created, which are owned or exclusively controlled by any of the Publishers or their parents, subsidiaries, affiliates, predecessors, successors, and assigns, whether used in commerce in the United States or abroad.

others to directly or indirectly infringe, manufacture, reproduce, import, distribute, offer for sale, and/or sell infringing copies of Plaintiffs' Copyrighted Works and/or goods bearing infringing copies of Plaintiffs' Marks.

III. FURTHER ORDERED that the Court retains jurisdiction for the purpose of enforcing this Order.

IV. FURTHER ORDERED that this Order replaces the Court's Preliminary Injunction issued in this matter as to Defendants.

SO ORDERED this 11th day of October, 2022.



KIMBA M. WOOD
United States District Judge